

ANNUAL REPORT
INSPECTOR OF
FACTORIES AND WORKSHOPS
1903

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TWENTY-FIRST ANNUAL REPORT

OF THE

DEPARTMENT

OF

Factory ^{AND} Workshop Inspection

OF THE

STATE OF NEW JERSEY.

1903.

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INSTITUTIONAL ANNUAL REPORT

DEPARTMENT

REPORT OF THE

SECRETARY

**Department of Factory and Workshop Inspection
of the State of New Jersey.**

REPORT.

STATE OF NEW JERSEY, OFFICE OF
INSPECTOR OF FACTORIES AND WORKSHOPS,
TRENTON, N. J., October 31, 1903.

Hon. Franklin Murphy, Governor of the State of New Jersey:

Sir:—I beg leave to submit to you herewith the twenty-first annual report of the Department of Factory and Workshop Inspection for the year ending October 31st, 1903.

The work of the Department during the past year has been devoted almost exclusively to enforcing the laws regulating child labor, fire protection of public buildings and factories, sanitary and hygienic conditions in factories and workshops and bakeries.

The most important law which the Department has to enforce is that which regulates the employment of children in places where goods are manufactured. The minimum age at which boys could be legally employed was changed in 1903 from twelve to fourteen years and that of girls remained fourteen years as before. The provisions of the old law as to school attendance and the granting of orphan permits were left out of the law of 1903. The new school law has a compulsory education provision which harmonizes with the provisions of the child labor law. It has been the effort of the Department in enforcing the law, to work in conjunction with truant officers and local boards of education so that the children discharged from factories would be placed in a school at once and saved from becoming vagrants or idlers.

The work done in enforcing the old child labor law shows little change from former years. The new law went into effect on the first day of September, 1903, and the results were immediately apparent, showing the wisdom of the change. Reports have been received from eighty schools located in manufacturing towns and they show that there are three hundred and ninety-eight children at-

tending school this year who last year worked in factories. This report does not pretend to give a complete list of such children, but the fact is interesting as an illustration of the working of the 1903 law. I am satisfied from investigations conducted in different channels and from the reports made by deputy inspectors, that there are many children under fourteen years of age still employed in factories. This condition exists in all parts of the State and in nearly every industry. The annexed schedule shows the number of children discharged by deputies since September first. To this number should be added as many more who were discharged by the employers and the truant officers, or, who were taken from factories by parents who were unwilling to make false affidavits of age.

It has been impossible to thoroughly cover the State in the short time the new law has been in force, but the information which has been obtained from various sources plainly indicates that the enforcement of the child labor law is a great task.

The law places the burden of proving the age of the child upon the Department. In fairness to employer and employee, a deputy must be convinced that the child is below the legal age before he is justified in discharging him or her. This information is in most cases very difficult to obtain and the work of obtaining it necessarily takes up a large part of the deputy's time. Most manufacturers insist upon having an affidavit of age sworn to by the parents, filed in the office, before the child can obtain employment. No matter how young the child may be, a manufacture taking this precaution is free from liability. It is right that there should be some way by which an employer can protect himself, but I feel that greater restrictions should be put upon the employment of children. To accomplish this result I would suggest that before a manufacturer can exonerate himself from liability, he should be compelled to obtain from the parents the following proof of age: A certificate in the case of native born children, from the Bureau of Vital Statistics of the State in which the child was born, or, if that cannot be done, an affidavit of age should be made by the parent, accompanied by a copy of the baptismal record, the record of age and attendance in the school where the child was enrolled for the last six school months preceding employment. In the case of foreign born children, a copy of the pass-port, verified by affidavit, should be obtained. Where such proof is filed, the employer should be exonerated from all liability except the power of discharge by deputies of children who are not of the legal age. The child labor law can never be enforced until the making of false affidavits can be stopped. The false affidavit of age is the root of the evil and the evil can only be cured by destroying the root. We find that in most cases an af-

fidavit of age is on file, but in a large number of cases, it is a false one.

The law provides two ways of punishing a parent who makes a false affidavit. One is by indictment for perjury; the other by bringing suit for a penalty of not more than fifty dollars against any parent who knowingly permits his or her child under fourteen years of age, to work in a factory or workshop. The Department has tried the first and found it to be impracticable; it is now prepared to try what can be done by the bringing of suits against the parents. That this condition is very serious is shown by the fact that the Department has the names of one hundred and fifty children who, it has reason to suspect, are under the legal age. An investigation will undoubtedly show that at least one hundred of these children are working under a false affidavit. In one factory there are twenty-six such cases and there are several factories with from six to twenty cases.

It is very difficult to obtain proof of the age of foreign born children. It is to be hoped that the strict enforcement of the law and obtaining penalties against a few parents in the different manufacturing sections of the State, will break up the making of false affidavits and render unnecessary a continuance of such drastic measures. From the results already obtained by the Department, I am led to believe that with the support of public sentiment and proper help from the legislature, the law can be enforced. The enforcement of the law has already and will in the future, cause hardships and sufferings in individual cases. The widow who has been keeping her family together and eking out a bare existence by the aid of the earnings of those of her children who were under the legal age, is the greatest sufferer. In a few cases the family will be broken up and compelled to accept charity. This is a matter for the legislature to consider as under the provisions of the present law, no discretion is allowed the Department.

The enforcement of the fire protection laws is another phase of the Department work and includes the fire protection of factories and work-shops, theatres, churches, hotels, lodging-houses, tenement houses, schools and other public buildings. In enforcing these laws I find that there is a clash of authority between the deputy inspectors and those authorized by the ordinances of cities of the first and second classes to look after the question of fire protection. This cannot be productive of good and I think that the best thing to do is to take from the charge of the Department of Factories and Workshops the fire protection of public buildings in cities of the first and second classes, leaving in its charge the factories, work-

shops and public buildings in the rest of the State. Orders were issued and served upon the Board of Education of one city, ordering the construction of outside iron fire escapes which would comply with the provisions of the law. To this order no answer has been made but I am informed that the Board of Education does not intend to comply with the law unless compelled to do so by an order of the Court. It is certainly not a good condition of things when the Department is compelled to enforce its orders by process of law served on a public board. I have consulted experienced architects and under their advice, the action above mentioned was taken, as that seemed to be the only way in which the provisions of the law could be carried out. The question whether an outside iron fire escape is a good thing or not, is not for this Department to settle. If it is not a proper protection, then the legislature should provide what should be done to properly protect the lives of people in the class of buildings which come under the provisions of the law. The deputy inspectors have found some factories which did not have the fire protection as provided for by the law, and orders are being issued every week to those factories to construct such escapes as will bring them within the law.

I am pleased to report that more attention is being paid to sanitary and hygienic conditions in factories and workshops. Many manufacturers are voluntarily spending large sums of money to better the conditions in their factories.

The provisions made for protecting employees from accidents are more thorough than in the past and manufacturers almost without exception, show great willingness to comply with orders given to bring about a better condition of affairs.

The bake-shop law works well and orders to clean up, whitewash and provide better sanitary conditions, meet with ready compliance. The cellar bakery with its unpleasant surroundings still exists, and until the law is changed, it will be impossible to do anything to abolish this class of places. We can only prevent the opening of the new bakeries in cellars.

The Department has made a thorough investigation of the fifty-five hour law and has been advised by the Attorney-General of the State that there is no way to enforce this law. No penalty is imposed upon any one for violation and all that the law provides is that fifty-five hours shall constitute a week's work.

The inspection of sweat shops and tenement houses has not been taken up to any extent as the deputies have been so busy with other phases of the law that they have had no time to attend to this part of the Work. New York State is strictly enforcing the sweat shop

law and many of these establishments are locating in New Jersey. The provisions of the New York law as to tenement houses are also receiving a great amount of attention in that State. What constitutes a tenement house has never been settled in New Jersey and how many of these places there are, it is impossible to tell until some definition is arrived at and a thorough investigation is made. If the sweat shops and tenement houses are to remain as part of the work of the Department of Factories and Workshops, it will entail a great amount of labor and necessitate a very large increase in the force of deputies and the amount of money appropriated to run this Department.

One of the greatest difficulties experienced in the Department work, has been the amount of money appropriated for the expenses of the Department. The law provides that not more than thirty-five hundred dollars shall be appropriated for the Department expenses in any one year. The amount actually appropriated for the last few years has been two thousand dollars. With this amount the Department is compelled to pay the salaries of clerks, printing bills, travelling expenses of six deputies and hire lawyers to bring suits for violations of the law. It is impossible to pay the running expenses of this Department as it is now constituted with this sum of money and unless some provision is made by the legislature of 1904 to provide money for carrying on the work of the Department, there will be no way of going on after April first next.

The six deputies in the course of their duties are compelled to visit practically every town in New Jersey and inspect the factories and workshops at least once a year. There are not enough deputies to do this work properly. The Board of Education of the city of Newark employs eight men as truant officers and the Department of Factories and workshops has one man in the whole county of Essex to inspect factories for child labor and examine into the hygienic and sanitary conditions, the measures provided for the safety of the employees as to machinery, fire, etc., to inspect all the bakeries and carry out the provisions of the tenement house and sweat shop laws. It will take at least double the present number of deputies to do the work which the law provides shall be done by this Department. I believe that if the force of deputies was increased to twelve, at least two of that number should be women. They have been tried in this line of work in other states with good results, and I believe they would be very valuable assistants in enforcing the child labor law.

Very respectfully,

JOHN C. WARD,
Inspector.

REPORT OF THE INSPECTOR.

GENERAL SUMMARY.

Inspections,	4,581	1,223	5,804
Orders issued,	237	112	349
New places,	130	49	179
Killed,	35	...	35
Injured,	60	...	60
Children discharged,	387	...	387

JOHN C. WARD,

